

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alain Carpentier, et al.

Examiner: Amanda H. Walker

Serial No.: 10/729,035

Group Art Unit: 3774

Filing Date: December 5, 2003

Confirmation No. 2075

Title: FLEXIBLE HEART VALVE AND ASSOCIATED CONNECTING BAND

---

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

**I. Timing of the Information Disclosure Statement:**

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. §1.491.
- ☐ Before the mailing date of a first Office Action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement,
- ☐ the Commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket No. \_\_\_\_\_, for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).
- ☐ the statement specified in 37 C.F.R. § 1.97(e) is provided below in accordance with 37 C.F.R. § 1.97(c)(1).

This Information Disclosure Statement is filed:

- ☒ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first and the Commissioner is hereby authorized to charge Deposit Account No. 50-1225 for the fee (\$180.00) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

The undersigned certifies that:

- ☒ Each item of information contained in the Information Disclosure Statement was first cited in a communication mailed from any foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

**II. Copies of the Cited Items:**

- ☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed except:
- ☒ Copies of the U.S. references are not being submitted pursuant to 37 CFR 1.98(a)(2)(i).
- ☐ Copies of those items which are marked with an asterisk(\*) in the attached form PTO-1449 are not supplied because they were previously cited by or submitted to that Patent office in a prior application No. \_\_\_\_\_, filed \_\_\_\_\_ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120. See 37 C.F.R. § 1.98(d).
- ☐ Copies of those items which are marked with an asterisk(\*\*) in the attached Form PTO-1449 were cited in a foreign examination report in a related case. A copy of the Written Opinion and the cited references not already of record in this application are attached hereto.

**III. Concise Explanation of Relevance:**

- ☐ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☒ A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of the Written Opinion from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references (copy attached).

**IV. Conclusion:**

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket No. ECV-5413CIP2CON any additional fees required in connection with the filing of this Information Disclosure Statement.

Date: July 23, 2008

Respectfully submitted,

By: /Rajiv Yadav, Reg. No. 43,999/  
Rajiv Yadav  
Registration No. 43,999  
Edwards Lifesciences  
One Edwards Way, Law Department  
Irvine, California 92614  
Telephone: (949) 250-6801  
Facsimile: (949) 250-6850

Customer No. 30452